

## SENATE BILL No. 496

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-10.1-16.

**Synopsis:** ISTEP test dates. Provides that the ISTEP assessments must be administered during the spring semester. Allows a student who did not pass the graduation examination to take the examination during the summer following grade 12, in addition to during each semester following the year in which the student was initially tested, until the student achieves a passing grade.

**Effective:** July 1, 2003.

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**Hershman**

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January 23, 2003, read first time and referred to Committee on Education and Career Development.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## SENATE BILL No. 496

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-10.1-16-4, AS AMENDED BY P.L.146-1999,  
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2003]: Sec. 4. (a) The board shall:

4 (1) authorize the development and implementation of the Indiana  
5 statewide testing for educational progress program; and

6 (2) determine the date, **which must be in the spring semester of**  
7 **the school year**, on which the statewide testing is administered  
8 in each school corporation.

9 (b) The state superintendent is responsible for the overall  
10 development, implementation, and monitoring of the ISTEP program.

11 (c) The department shall prepare detailed design specifications for  
12 the ISTEP program that must do the following:

13 (1) Take into account the academic standards.

14 (2) Include testing of students' higher level cognitive thinking in  
15 each subject area tested.

16 SECTION 2. IC 20-10.1-16-13, AS AMENDED BY P.L.193-1999,  
17 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



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JULY 1, 2003]: Sec. 13. (a) Beginning with the class of students who expect to graduate during the 1999-2000 school year, each student is required to meet:

(1) the academic standards tested in the graduation examination; and

(2) any additional requirements established by the governing body; to be eligible to graduate.

(b) A student who does not meet the academic standards tested in the graduation examination shall be given the opportunity to be tested during:

(1) each semester of each grade following the grade in which the student is initially tested; and

**(2) during the summer following grade 12;** until the student achieves a passing score.

(c) A student who does not achieve a passing score on the graduation examination may be eligible to graduate if all of the following occur:

(1) The principal of the school the student attends certifies that the student will within one (1) month of the student's scheduled graduation date successfully complete all components of the Core 40 curriculum as established by the board under IC 20-10.1-5.7-1.

(2) The student otherwise satisfies all state and local graduation requirements.

(d) A student who does not achieve a passing score on the graduation examination and who does not meet the requirements of subsection (c) may be eligible to graduate if the student does all of the following:

(1) Takes the graduation examination in each subject area in which the student did not achieve a passing score at least one (1) time every school year after the school year in which the student first takes the graduation examination.

(2) Completes remediation opportunities provided to the student by the student's school.

(3) Maintains a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance.

(4) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the board.

(5) Obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved

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a passing score. The recommendation must:

(A) be concurred in by the principal of the student's school;  
and

(B) be supported by documentation that the student has  
attained the academic standard in the subject area based upon:

(i) tests other than the graduation examination; or

(ii) classroom work.

(6) Otherwise satisfies all state and local graduation requirements.

(e) This subsection applies to a student who is a child with a disability (as defined in IC 20-1-6-1). If the student does not achieve a passing score on the graduation examination, the student's case conference committee may determine that the student is eligible to graduate if the case conference committee finds the following:

(1) The student's teacher of record, in consultation with a teacher of the student in each subject area in which the student has not achieved a passing score, makes a written recommendation to the case conference committee. The recommendation must:

(A) be concurred in by the principal of the student's school;  
and

(B) be supported by documentation that the student has  
attained the academic standard in the subject area based upon:

(i) tests other than the graduation examination; or

(ii) classroom work.

(2) The student meets all of the following requirements:

(A) Retakes the graduation examination in each subject area in which the student did not achieve a passing score as often as required by the student's individualized education program.

(B) Completes remediation opportunities provided to the student by the student's school to the extent required by the student's individualized education program.

(C) Maintains a school attendance rate of at least ninety-five percent (95%) to the extent required by the student's individualized education program with excused absences not counting against the student's attendance.

(D) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the board.

(E) Otherwise satisfies all state and local graduation requirements.

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